

#21
appealPATENT
514413-3669**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Donn et al.
Serial No. : 09/155,921
Filed : May 13, 1999
For : PROCESS FOR THE PRODUCTION OF PLANTS WITH
ENHANCED GROWTH CHARACTERISTICS
Examiner : D. Fox
Group Art Unit : 1638

received
3/26/03

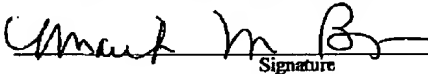
JF

745 Fifth Avenue, New York, New York 10151

I hereby certify that this correspondence is being deposited with
the United States Postal Service as first class mail in an envelope
addressed to: Assistant Commissioner for Patents, Washington, DC
20231, on the date below.

Marilyn Matthes Brogan, Reg. No. 31,223

Name of Applicant, Assignee or Registered Representative


Signature

February 20, 2003

Date of Signature

NOTICE OF APPEAL

Assistant Commissioner for Patents
Washington, D.C. 20231
Box AF

Sir:

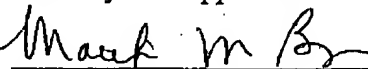
Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the final Office Action dated August 23, 2002, rejecting claims 9 and 11-16. A check in the amount of \$320.00 is enclosed to cover the appeal fee required by 35 U.S.C. § 41(a)(6) and 37 C.F.R. § 1.17(e). Please charge any additional payment or credit any overpayment to Deposit Account No. 50-0320.

This Notice is being filed in triplicate, together with a Petition for a three-month extension of time, and a Rule 116 Amendment.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By:



Marilyn Matthes Brogan

Reg. No.: 31,223

(212) 588-0800

00112905

Country Application

05-Mar-03

Case Number: 5144133669 **Country:** US **SubCase:**
Client: HOECHST SCHERING AGREVO United States of America
Case Type: PCT **Application Status:** Pending **Area(s):**
Application Number: 09/155921 **Filing Date:** 13-May-1999 WO
Patent Number: **Issue Date:**
Publication Number: **Publication Date:**
Priority Number: **Priority Date:** 11-Apr-1996
Tax Schedule: LE **Expiration Date:**
Paid Through: **Tax Start Date:**
Agent:
Agent Reference Number: AGR1996/M206

TO: mmb

List Of Actions

Action(s) Du	Due Date	Action Taken
2WK REMINDER	11-Apr-2003	Reminder
APPEAL BRIEF DUE	25-Apr-2003	Due Date
1MON EXTENSION	25-May-2003	Due Date
2MON EXTENSION	25-Jun-2003	Due Date
3MON EXTENSION	25-Jul-2003	Due Date
FINAL DEADLINE	25-Aug-2003	Final

Remarks: PCT/EP97/01741 FILED 4/8/97 - FED REPUBLIC OF GERMANY,
 96105679.3 FILED 4/11/96. NOTIF. OF ACCEPTANCE OF APPLN DTD
 5/25/99 REC'D 5/27/99. REC ASSIGN 5/13/99 9969/0402. CNFRM NO.
 9327 - PUBLN NO. US-2002-0035740-A1. 3/21/02

Applicant: Donn et al.

Serial No. 09/155,921 File No. 514413-3669 By MMB
 Title In the Matter of the Application of Process for the Production of Plants with Enhanced Growth Characters
 The following due 2/23/03 in the U.S. Patent Office, was received in the Patent Office
☐ Affidavit ☐ Declaration ☐ Express Mail Mailing Certificate
☐ Amendment ☐ (separate sheet)
☐ Preliminary Amendment ☒ Check No. 25239 for \$ 320.00
☒ Amendment After Final Rejection ☐ Deposit Account Order Form
☒ Petition for Extension of Time ☐ Drawing — Sheet(s) 1
☐ Provisional Patent Application ☐ Information Disclosure Statement
☐ Application for Patent, including ☐ PTO Form 1449, **FEB 25 2003**
 — Pages Specification — Claims ☐ Issue Fee Transmittal
☐ Declaration ☐ Oath ☐ Power ☐ Brief ☐ Letter
☐ Request for Filing Continuation or Divisional ☐ Application for TM Registration
 Application — sheets, in duplicate Including — Specimens
☐ File Wrapper Continuation Patent Application ☐ Status Request ☒ Notice of Appeal
 — sheets, in duplicate ☐ Petition ☐ Response
☐ PCT Request — sheets, including ☐ Priority Document
☐ Transmittal Letter to the US/RO ☐ Small Entity Declaration
☐ Assignment ☐ Recordation Cover Sheet ☒ Check # 025240 for \$ 920.00
 (for EDT)

Sent by 1st Class Mail on 2/20/2003

FROMMER LAWRENCE & HAUG LLP

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FACSIMILE COVER LETTER

To: Examiner Fox
Firm: USPTO
Facsimile: 703 746 5060
From: Marilyn Matthes Brogan, Esq.
Date: March 20, 2003
Re: 09/155,921, FLH 514413-3669
Number of Pages: 20
(including cover page)
cc:

received
3/20/03
DJF

If you do not receive all pages or are unable to read the transmission, please call and ask for Marilyn (Ext. 2122).

Dear Examiner Fox:

Further to your telephone message of March 19, 2003, attached are copies of the after final submissions which were timely filed in this application, along with a copy of the postal return card stamped showing receipt by the PTO. Please let us know if you need anything further.

Respectfully submitted,


Marilyn Matthes Brogan

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Pages sent: 1 - 20